

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

RONALD C. FRYER, et al.,

Plaintiff,

v.

BERNIE BROWN, et al.,

Defendant.

Case No. C04-5481FDB

ORDER DENYING PLAINTIFF'S  
MOTION FOR RECONSIDERATION  
OR, IN THE ALTERNATIVE, FOR  
CLARIFICATION

Before the Court is the motion of Plaintiff Ronald C. Fryer for reconsideration or, in the alternative, for clarification, of the Court's Order of July 15, 2005. For the reasons set forth herein, the motion shall be denied.

I.

Motions for reconsideration are disfavored. CR 7(h)(1). The Court will ordinarily deny such motions in the absence of a showing of manifest error in the prior ruling or a showing of new facts or legal authority which could not have been brought to its attention earlier with reasonable diligence. Plaintiff has made no showing of manifest error nor has he provided the Court with any newly discovered evidence or intervening changes in controlling law to support his request for

1 reconsideration. The Court previously considered Plaintiff's arguments relating to compliance with  
2 Defendant's discovery requests, previous requests for clarification on the scope of Defendant's  
3 requests, and Plaintiff's privacy concerns. Plaintiff's motion for reconsideration is merely cumulative  
4 of what has already been considered by this Court and fails to articulate an adequate basis for  
5 reconsideration.

6 II.

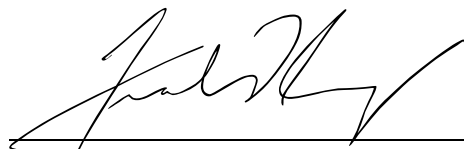
7 Although entitled a motion for "clarification," Plaintiff asks the Court to "remove" from the  
8 Order those discovery items he claims he does not have. The Court finds no basis for modifying its  
9 previous Order. The Order clearly instructs Plaintiff to provide Defendants with all requested  
10 discovery information that has been previously requested but not previously provided. If Plaintiff  
11 does not have information to produce in response to a particular discovery request, he should  
12 provide a written response to that effect to the Defendants.

13 ACCORDINGLY,

14 IT IS ORDERED:

15 (1) Plaintiff's motion for reconsideration or, in the alternative, for clarification (Dkt.#122)  
16 is **DENIED**.

17 DATED this 5th day of August, 2005.

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20 FRANKLIN D. BURGESS  
21 UNITED STATES DISTRICT JUDGE  
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